

REMARKS

1. Claims 5 and 6 were objected to because of typographical errors. Claims 5 and 6 are amended to correct the errors.

2. Claims 1-3 and 5-7 were rejected under 35 U.S.C. 102(e) over Deml et al., U.S. patent no. 6,696,742.

Claim 1 recites forming floating gates FG₁, FG₂ after a first conductive gate.

In Deml (Fig. 1), the floating gates FG₁, ..., FG_n are formed before the control gates CG₁, ..., CG_n.

3. Claims 11-27 have been withdrawn from consideration but they depend on Claim 1. Allowance Claims 11-27 together with Claim 1 is respectfully requested (MPEP 806.04(d), last paragraph).

Any questions regarding this case can be addressed to the undersigned at the telephone number below.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 30, 2005.

Michael Shenker 8-30-05

Attorney for Applicant(s) Date of Signature

Respectfully submitted,

Michael Shenker

Michael Shenker
Patent Attorney
Reg. No. 34,250
Telephone: (408) 392-9250, Ext. 212

Law Offices Of
MacPherson Kwok Chen & Heid LLP
1762 Technology Drive, Suite 226
San Jose, CA 95110